IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1101 of 2004

KUNDAN MAL JAIN
V/S
ADDL.CIVIL JUDGE (SD) NO.2,JODHPUR & ORS

Mr. KK SHAH, for the appellant / petitioner

Date of Order : 16.7.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

This writ petition seeks to challenge the order dt. 16.1.2004 drawing adverse inference.

Learned counsel for the petitioner submits that the petitioner is prepared to submit original documents on the date when the evidence is recorded. As such there was no occasion for drawing adverse inference, and undertakes that on the next date of hearing when the petitioner produces his evidence in compliance of the order passed today in Civil Writ Petition No. 5774/2005 he will produce the documents.

Accordingly, this writ petition is disposed of with the direction that the petitioner may produce the original documents on the next date already fixed in the

trial court on which date the petitioner in Writ Petition No. 5774/2005 produces his evidence, failing which the impugned order shall revive. The record of the learned trial court be returned forthwith. The learned trial court is directed to decide the suit most expeditiously.

(N P GUPTA),J.

/Sushil/